

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.NO.16239 OF 2019

S.R.Shyam Sundar

.. Petitioner

-vs-

1. The District Magistrate and District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
No.1, Rajiv Gandhi Salai,
1st Cross Street,
Sholinganallur.
3. The Authorized Officer,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Building,
No.32, Montieth Road,
Egmore, Chennai-600 008.
4. P.K.Sivakumar
5. P.K.Narayanan
6. Badrinarayana Choudhary,
Director of Golden Shelters Private Ltd.,
No.33, Ruthland Towers,
Shaffee Mohammed Road,
Greens Road Post, Chennai-600 006.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records relating to Rc.M3/21164/2017 dated 10.04.2018 passed by the 1st respondent and quash the same and to direct the 1st respondent to conduct a fresh enquiry by giving personal hearing to the petitioner herein to determine his rights, including his rights as a lessee.

For Petitioner : Mr.P.V.S.Giridhar Rao
for M/s.Giridhar & Sai

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondent Nos.1 and 2

Mr.M.L.Ganesh
for respondent No.3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.Giridhar, learned counsel for the petitioner;
Mr.S.Kamalesh Kannan, learned Government Advocate for respondent
Nos.1 and 2 and Mr.M.L.Ganesh, learned counsel for respondent
No.3.

2. The petitioner has preferred the writ petition as against
the order dated 10.04.2018 passed by the first respondent i.e.,
the District Magistrate and District Collector, Kancheepuram.

3. Since the petitioner has preferred the present writ
petition as against the order of the District Collector,
Kancheepuram in SARFAESI proceedings, we are not inclined to
entertain the writ petition and it would be open to the
petitioner to approach the Debts Recovery Tribunal in accordance
with law.

4. The writ petition is disposed of with the above
observation. No costs. Consequently, W.M.P.Nos.15942 and 15945
of 2019 are closed.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bbr

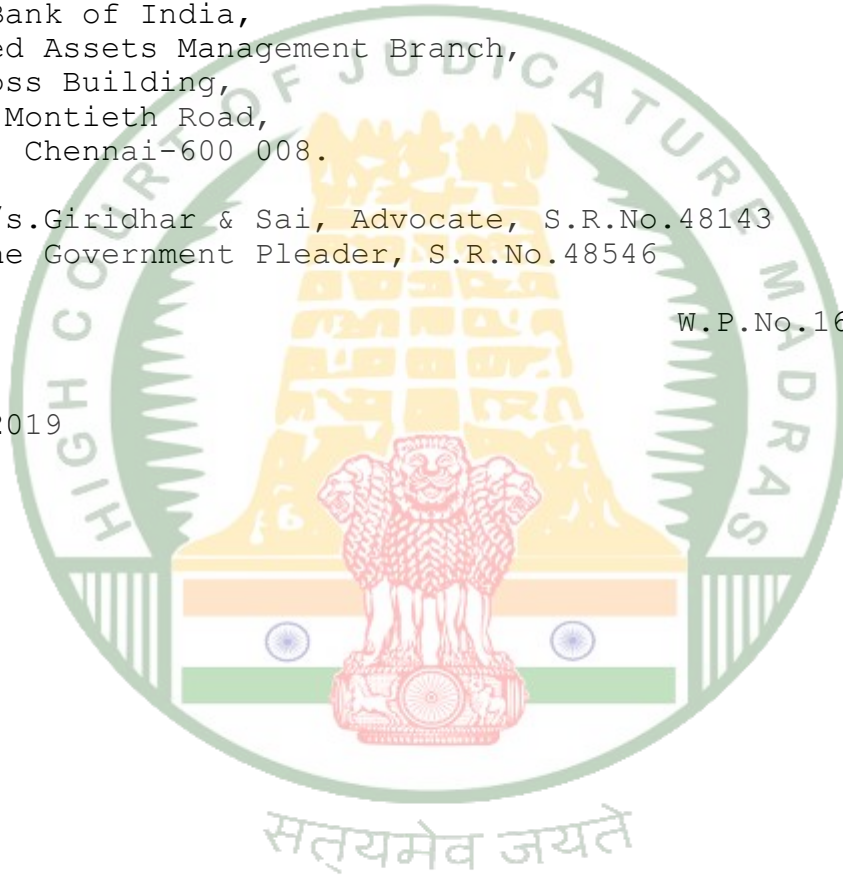
To

1. The District Magistrate and District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
No.1, Rajiv Gandhi Salai,
1st Cross Street,
Sholinganallur.
3. The Authorized Officer,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Building,
No.32, Montieth Road,
Egmore, Chennai-600 008.

+1cc to M/s.Giridhar & Sai, Advocate, S.R.No.48143
+1cc to the Government Pleader, S.R.No.48546

W.P.No.16239 of 2019

VBA(CO)
CS/01/07/2019



WEB COPY